

SENATE BILL REPORT

SB 6523

As Reported By Senate Committee On:
Judiciary, February 08, 2008

Title: An act relating to establishment of a Washington identity theft analysis center.

Brief Description: Establishing a Washington identity theft analysis center.

Sponsors: Senators Kline, McCaslin, Benton, Tom, Swecker, Pridemore, Kauffman, Carrell, Rasmussen and McAuliffe.

Brief History:

Committee Activity: Judiciary: 1/25/08, 2/8/08 [DPS].

SENATE COMMITTEE ON JUDICIARY

Majority Report: That Substitute Senate Bill No. 6523 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kline, Chair; Tom, Vice Chair; McCaslin, Ranking Minority Member; Carrell, McDermott, Roach and Weinstein.

Staff: Lidia Mori (786-7755)

Background: Identity theft occurs when a person knowingly obtains, possesses, uses, or transfers a means of identification or the financial information of another person, living or dead, with the intent to commit, or aid or abet, any crime.

According to the Federal Trade Commission, Washington consistently ranks among the top ten states for citizen victimization by identity theft. New account frauds cause the greatest victimization to the citizen whose identity is compromised. An additional fact about identity theft is that the suspects connected to that crime commonly cross jurisdictional boundaries in the commission of their crimes. Identity theft is reportedly thought by criminals to be a safe crime because it is believed that the perpetrators are rarely caught, and, if caught, are punished less harshly than other common crimes for profit. The risk of violence associated with the crime is believed to be significantly lower than the same risk for other crimes.

The Washington Joint Analytical Center (WAJAC) is a product of the state-wide integrated intelligence proposal developed by the Governor's committee on terrorism subcommittee of intelligence. WAJAC gathers information from local agencies and shares that information statewide and with federal agencies. The idea behind fusion centers is to fuse or merge in one place intelligence from a wide variety of sources. A focus of the WAJAC is the discovery and interruption of criminal activities that may precede a terrorist incident with the belief that

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discovering and interrupting these activities can prevent or disrupt a terrorist act. WAJAC is housed at the Seattle field office of the FBI.

Summary of Bill (Recommended Substitute): The Washington Association of Sheriffs and Police Chiefs (WASPC) is directed to establish the Washington identity theft analysis center and colocate it with the WAJAC. The identity theft analysis center is required to develop and maintain a web site that is accessible to law enforcement and prosecutors. The web site will be a central repository of information related to identity theft arrests and convictions. Private parties may contribute information to the analysis center web site but data will not be accessible or disclosable to them. Local law enforcement agencies are directed to transmit their identity theft incident reports to the analysis center.

WASPC is directed to provide the analysis center with sufficient staff and resources and law enforcement agencies may assign officers to the center for a minimum of two years. The center will train the officers as analysts and they will be paid by the state while so employed. An appropriation is included to pay for the responsibilities directed to WASPC for the identity theft analysis center.

EFFECT OF CHANGES MADE BY JUDICIARY COMMITTEE (Recommended Substitute): WASPC is directed to establish the Washington identity theft analysis center (WITAC) and is authorized to choose a location for the center. WASPC is directed to develop operational linkages between the WITAC and the Washington joint analytical center for the purpose of information sharing to the extent allowable under the law. The identity theft analysis center is required to develop and maintain a web site that is accessible to law enforcement and prosecutors. The web site will be a central repository of information related to identity theft arrests and convictions. Private parties may contribute information to the analysis center web site but data will not be accessible or disclosable to them. Information maintained by the WITAC for the web site is exempt from public inspection and copying. Local law enforcement agencies are directed to transmit their identity theft incident reports to the analysis center.

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Appropriation: An unspecified amount will be appropriated.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: PRO: Identity theft cases take a huge amount of time and analysis by law enforcement and prosecutors. We need an analysis center to devote to this type of crime. Police departments get overwhelmed with these cases. The officers who would work at the identity theft center would receive valuable training. Retail

theft connected with identity theft costs retail industries over \$1 billion per year. This bill will create a center that will be a big step forward towards cutting down on this crime.

Persons Testifying: PRO: Susan Storey, Law Enforcement Group Against Identity Theft, King County prosecutor; Vicky Marin, Washington Retail Association.